

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:07 CR 33**

**UNITED STATES OF AMERICA,**

**Vs.**

**JOHN WILSON PATTON.**

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**ORDER**

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**THIS MATTER** has come before the court, pursuant to a filing by defendant's counsel entitled "Status Report on Obtaining Medical Records" (#278). The Court had directed counsel for the defendant to obtain copies of all available medical records of the defendant and to submit them to the Federal Correctional Institution so that they could be examined and consulted by the examining psychiatrist or psychologist who is making an examination of the defendant pursuant to court order. Defendant's counsel advises that he has obtained records of the treatment of the defendant at the Veteran's Administration Hospital in Asheville and that he has made inquiry to locate other records. Defendant's counsel request that the court allow him an additional thirty (30) days to complete the gathering and review of the records, prior to submitting them to the Federal Correctional Institution. The Federal Correctional Institution, on the other hand, has sent a letter to the court advising that the evaluation period of the defendant will end on October 26, 2008. As a result, the undersigned must deny

defendant's counsel's request for an additional thirty days to complete the gathering and review of the records and shall request that defendant's counsel submit the records presently in his possession to Tracy W. Johns, Warden of the Federal Correctional Institution and to further submit such other additional records as may be obtained so that they can be considered by the examining psychiatrist or psychologist by October 17, 2008. By submitting the records by that date, the psychiatrist or psychologist will have at least one week within which to examine those records.

### **ORDER**

**IT IS, THEREFORE, ORDERED**, that the defendant's request that the court allow him an additional thirty days to submit medical records is **DENIED** and it is directed that all medical records of the defendant be submitted to Tracy W. Johns, Warden of the Federal Correctional Institution, P. O. Box 1000, Butner, NC 27509 on or before **October 17, 2008**.

Signed: October 2, 2008

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Dennis L. Howell  
United States Magistrate Judge

